

The Fire Safety Code Board of Appeal & Review met in the Conference Room located adjacent to 55 Cedar Street, Providence, RI on Tuesday, June 7, 2005 at 1:00 PM. Present were Chairman Farrell and Commissioners Coutu, Newbrook and Filippi. Also present were Executive Director Thomas Coffey, Esq. and Assistant Administrative Officer Carol Marsella. As there was no quorum, the approval of the subcommittee's recommendations will be voted on at the next meeting, June 14 2005. The following appeals were considered.

Appeal #040144: Ms. Deborah Hirschon for the property located at 62-66 Brookside Avenue in West Warwick. Chief Dennis LaRocque and Captain David Pastore appeared for the West Warwick Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Vice Chairman Coutu, to grant the Applicant the following relief. The fire escape in this facility is to be upgraded or modified at the direction and to the satisfaction of the West Warwick Fire Marshal's office. The West Warwick Fire Marshal will re-inspect this facility under the 15 point plan, and the Applicant will return before the Board in sixty (60) days if at that time there are any deficiencies for which the Applicant will need a variance. The motion was unanimous.

Appeal #050150: Mr. Karl Kelvington for the property located at 59 Granite Street in Westerly. Marshal John Mackay appeared for the Westerly Fire Marshal's office. Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to reinstate a previously granted variance from the provisions of 29.3.1.1.1 as to the front

stairs. The Board directed the Applicant to correct the lack of vertical opening protection of the rear stairs within one (1) week. A variance was granted to allow the Applicant not to swing the main front doors outward, due to structural hardship. The motion was unanimous.

Appeal #040461: Mr. Joseph Sousa for the property located at 70 Shove Street in Tiverton (Ponta Delgada Patriot's Club). ADSFM Tom Mello appeared for the Tiverton Fire Marshal's office. It was determined that this facility will be inspected by a subcommittee of the Board and a hearing date will be scheduled after the onsite inspection has been conducted.

Appeal #020053B: Ms. Robin Allister, Michael Sweeney Esq., and Ted Allister for the property located at 1 Shove Street in Tiverton. Marshal Daniel Murphy appeared for the Tiverton Fire Marshal's office. Vice Chairman Coutu made a motion, seconded by Commissioner Filippi, to grant the following relief, in addition to the plan of action previously accepted. The Board will allow the Applicant to replace the 24 hour security of this property with a roving patrol. Removal of the cited debris in building #5 will begin no later than August 1, 2005. The motion was unanimous.

Appeal # 050211: Kate Carlson and Attorney Artin Coloian for the property located at 127 Dorrance Street in Providence. Assistant Deputy State Fire Marshals Moise, Fournier and Silva appeared for the Providence Fire Marshal's office. Commissioner Newbrook made

a motion, seconded by Commissioner Filippi, to grant the following. 120 days to connect the ventilation system to the fire alarm system, 120 days to vent the pizza oven to the exterior of the building, 120 days to have a compliant fire alarm system installed and tested, 120 days to correct the placement of the sprinkler head against the commercial cooking ventilation ductwork in the kitchen and 120 days to ensure that the fire alarm system is activated upon activation of the sprinkler system in this facility. A variance was granted on the basis of structural hardship, to allow less than 18 inches of separation from the top of the hood to the exposed wood frame construction directly above it. All other deficiencies have been corrected, or will be corrected, to the satisfaction of the Providence Fire Marshal's office. The motion was unanimous.

Appeal #050189: Mr. Arnold Hahn for the property located at 133 Douglas Avenue, Providence (Sticky Fingers Restaurant). Assistant Deputy State Fire Marshals Moise, Fournier and Silva appeared for the Providence Fire Marshal's office. Vice Chairman Coutu made a motion, seconded by Commissioner Filippi, to grant the following. The Applicant will provide a spark arrester screen of the solid fuel cooking operations, at the direction and to the satisfaction of the Providence Fire Marshal's office. The Applicant himself shall be allowed to clean the flue or chimney of the solid fuel cooking operation every six months. If not cleaned to the satisfaction of the Providence Fire Marshal's office, the Applicant shall hire a professional cleaner to do the job. The disconnected fire

suppression system is allowed to remain, provided the Applicant installs an “Out of Service” tag. The second floor of this facility, which is vacant, shall not require a sprinkler system, provided the Applicant installs heat detection on the second floor within 120 days, at the direction and to the satisfaction of the Providence Fire Marshal’s office. The Applicant has complied, or will comply, with all other outstanding deficiencies noted by the Providence Fire Marshal’s office. The motion was unanimous.

Appeal #040395: Scott Lynch and Dennis Samson for the property located at 318 Chalkstone Avenue in Providence. Deputy George Calise and ADSFM Stephen Moise appeared for the Providence Fire Marshal’s office. Commissioner Newbrook made a motion, seconded by Vice Chairman Coutu, to grant the following relief. A variance was granted to allow the Applicant to make announcements of the location of emergency exits every hour on the hour instead of prior to each act. The Applicant shall eliminate the cited ramps and install steps with a modified handrail, at the direction and to the satisfaction of the Providence Fire Marshal’s office. The central stairway on the north side of the building shall be provided with fire rated doors and the glass walls will be washed with sprinklers. The Ceiling height in the upper “champagne lounge” is allowed to remain due to structural hardship, however, reflective tape shall be installed and maintained on the cited steel beam. The handicapped accessible ramp on the southwest side of the upper level will be allowed to remain, due to structural hardship. The cited handrails shall be corrected or

installed within ninety (90) days, at the direction and to the satisfaction of the Providence Fire Marshal's office. The main entrance/exit door on the upper level shall be re-swung, and a new door will be installed to eliminate the bottleneck at that exit, within ninety (90) days. By December 31, 2005, a new, their exit will be constructed to correct deficiency #20. All other deficiencies have been or will be corrected at the direction and to the satisfaction of the Providence Fire Marshal's office. The motion was unanimous.

Appeal #030311: Mr. Craig Sculos for the property located at 1600 Louisquisset Pike, Lincoln. Chief Frank Sylvester, ADSFM Arthur Jacques, and Deputy State Fire Marshal Vincent Quinterno appeared for the Lincoln and State Fire Marshal's offices. A motion was made by Commissioner Newbrook, seconded by Commissioner Coutu, to extend the compliance date for the completion of the new fire stair tower, granted in a previous decision, to December 31, 2005. The motion was unanimous.

Respectfully submitted,
Carol Marsella